

**MINUTES FOR THE COURT OF APPEAL
STATE OF CALIFORNIA
SECOND APPELLATE DISTRICT**

August 18, 2010

DIVISION ONE

B219502 Prince
 v.
 Icken Films, Inc.

Filed order denying petition for rehearing.

DIVISION TWO

B220057 Los Angeles County, D.C.F.S.
 v.
 Marvin R.

Filed order modifying opinion. (No change in the judgment)

DIVISION THREE

Court convened at 9:30 a.m.

Present: Klein, P.J., Croskey, J., Kitching, J., Aldrich, J. and Zaida G. Clayton, Deputy Clerk.

Each of the following:

B212866 People v. Hector Esquivel
B217431 People v. Alfred Burton
B214416 People v. Allen C. Powell, Sr.
B220424 DCFS v. L.L., et al.
B214987 Gayle L. DeGuzman-Owens v. James Cyrus Owens

DIVISION THREE (continued)

Each of the following (continued):

B213993 People v. Ivan Mejia
220176 People v. Celia Garcia
B222198 People v. Jose V.

Argument waived, cause submitted.

B221420 Los Angeles County, D.C.F.S.
 v.
 J.V. et al

Merits:

Argued by Darlene A. Kelly and Kate M. Chandler for appellants and by
Denise Hippach, Deputy County Counsel for respondent. Cause submitted.

B220426 Susan Kaplan
 v.
 Martin Reiner

Merits:

Argued by Martin Reiner for appellant and by David M. Livingston for
respondent. Cause submitted.

B216815 She She Strawder
 v.
 Pacific Sunwear Store

Merits:

Argued by Glenn Danas for appellant and by Andrew L. Satenberg for
respondent. Cause submitted.

DIVISION THREE (continued)

B217063 Mary Lou Smith
 v.
 Pneumo Abex LLC

Merits:

Argued by James L. Oberman for appellant, by James C. Parker for respondent and by and Scott H. Sumner for amicus curiae. Cause submitted.

Court recessed.

Court reconvened at 1:30 p.m.

Present: Klein, P.J., Croskey, J., Kitching, J., Aldrich, J. and Zaida G. Clayton, Deputy Clerk.

Each of the following:

B224677 S.P. v. S.C.L.A. DCFS
B221597 DCFS v. J.E.
B211685 People v. Gerardo Olmos
B214396 People v. David E. Cortez
B215982 People v. Elice Guthrie

Argument waived, cause submitted.

B220926 People
 v.
 John Myles

Merits:

Argued by Gregory J. Marcot, Deputy Attorney General for appellant and by Nancy Tetreault for respondent. Submission deferred pending filing of additional briefs.

DIVISION THREE (continued)

B218618 Juan Valle, et al
 v.
 Cherryfield Village LLC

Merits:
Argued by Rodolfo Lewels for appellants and by Thomas Citron for respondent. Cause submitted.

B217776 People
 v.
 Leonard Gabriel Rincon

Merits:
Argued by Trisha Ellen Newman for appellant and by Baine P. Kerr for respondent. Cause submitted.

B215786 Katheryn Palmer, et al.
 v.
 Equitable Variable Life Insurance Company, et al.

Merits:
Argued by R.K. DeGeorge appellant in propria persona, by S. Edmond El Dabe for appellant Katheryn Palmer and by James M. Grady for respondents. Cause submitted.

B209862 FEI Enterprises, Inc.
 v.
 Kee Man Yoon DBA Pacific Construction Co.

Merits:
Argued by Robert G. Klein for appellant and by Roy Weatherup for respondent. Cause submitted.

Court adjourned.

August 18, 2010 (Continued)

DIVISION FOUR

B217354 People (Not for Publication)
v.
Delgado

The judgment is affirmed.

Manella, J.

We concur: Willhite, Acting P.J.
Suzukawa, J.

[illegible]

The judgment is affirmed.

Suzukawa, J.

We concur: Epstein, P.J.
Manella, J.

B216047 People (Not for Publication)
v.
Rivera

The clerk of the superior court is directed to correct the minute order. In all other respects, the judgment is affirmed.

Epstein, P.J.

We concur: Willhite, J.
Manella, J.

August 18, 2010 (Continued)

DIVISION FOUR (continued)

B216938 People (Not for Publication)
v.
Perez

The judgment is affirmed.

Manella, J.

We concur: Epstein, P.J.
Willhite, J.

DIVISION FIVE

B221469 Los Angeles County, D.C.F.S. (Not for Publication)
v.
Jose N.
In re David C., A Person Coming Under the Juvenile Court Law

The judgment is affirmed.

Kriegler, J.

We concur: Armstrong, Acting P.J.
 Kumar, J. (Assigned)

B221302 People
v.
Jateen Bhatt

Filed order denying appellant's pro per petition for rehearing.

DIVISION SIX

B221684 Department of Social Services (Not for Publication)
 v.
 Tammi U.

The judgment is affirmed.

Perren, J.

We concur: Gilbert, P.J.
 Coffee, J.

B219834 People (Not for Publication)
 v.
 Paula M. Givens

The judgment is affirmed.

Gilbert, P.J.

We concur: Coffee, J.
 Perren, J.

B218203 People (Not for Publication)
 v.
 Romo, et al.

We reverse the gang enhancement findings and otherwise affirm the judgment. Upon remand, the superior court is ordered to amend the abstract of judgment by removing the 10-year gang enhancement from each appellant's sentence. A certified copy of the amended abstract of judgment for each appellant shall be forwarded to the Department of Corrections and Rehabilitation.

Coffee, J.

We concur: Gilbert, P.J.
 Perren, J.

August 18, 2010 (Continued)

DIVISION SIX (continued)

B217971 People (Not for Publication)
v.
Garcia

The judgment is affirmed.

Coffee, J.

We concur: Gilbert, P.J.
 Perren, J.

B222352 People (Not for Publication)
v.
Harris

The judgment is affirmed.

Yegan, J.

We concur: Gilbert, P.J.
Perren, J.

B214339 People v. Barnes (Not for Publication)

The judgment is affirmed.

Gilbert, P.J.

We concur: Yegan, J.
Perren, J.

DIVISION SIX (continued)

B217698 People v. Gittens (Not for Publication)

The judgment is affirmed.

Yegan, J.

We concur: Gilbert, P.J.
Perren, J.

B218689 People (Not for Publication)
v.
Valencia

The trial court is directed to correct its minutes for the sentencing hearing of July 29, 2009, by striking the references to the imposition of restitution fines pursuant to sections 1202.4, subdivision (b) and 1202.45. The trial court is further directed to prepare a corrected abstract of judgment showing that restitution fines were not imposed. The trial court shall transmit a certified copy of the corrected abstract of judgment to the Department of Corrections and Rehabilitation. In all other respects, the judgment is affirmed.

Yegan, J.

We concur: Gilbert, P.J.
Perren, J.

DIVISION SEVEN

B215169 Semler (Not for Publication)

v.

Wells Fargo Bank National Association

The trial court's judgment in favor of Wells Fargo is affirmed. Respondents are awarded their costs on appeal.

Zelon, J.

We concur: Perluss, P.J.

Woods, J.

B215278 Collins (Not for Publication)

v.

Park Lands Ranch, LLC et al.,

The trial court's judgment is affirmed. Respondents are awarded their costs on appeal.

Zelon, J.

We concur: Perluss, P.J.

Woods, J.

B219903 Los Angeles County, D.C.F.S. (Not for Publication)

v.

Modesto J.,

The order of the juvenile court is affirmed.

Zelon, J.

We concur: Woods, Acting P.J.

Jackson, J.

DIVISION SEVEN (continued)

B217960 Bagdasarian Productions, LLC (Not for Publication)
v.
Capitol Records, Inc.,

The judgment is reversed, and the matter is remanded to the trial court to conduct further proceedings not inconsistent with this opinion. Bagdasarian Productions is to recover its costs on appeal.

Perluss, P.J.

We concur: Woods, J.
 Zelon, J.

B212527 Diane Wilson (Not for Publication)
v.
City of Burbank

The judgment is affirmed. Defendant is to recover its costs on appeal.

Jackson, J.

We concur: Woods, Acting P.J.
 Zelon, J.

B08936 Yana Henricks (Not for Publication)
v.
State Farm Mutual Automobile Insurance Company

The orders are affirmed. State Farm is to recover its costs on appeal.

Jackson, J.

We concur: Perluss, P.J.
 Zelon, J.

DIVISION SEVEN (continued)

B214013 People (Not for Publication)

V.

David Rodolfo Madrid, et al.

The judgments are affirmed.

Jackson, J.

We concur: Perluss, P.J.

Woods, J.

DIVISION EIGHT

B195651 People (Not for Publication)

V.

Taylor

The judgment is affirmed.

Grimes, J.

We concur: Bigelow, P.J.

Rubin, J.

B216600 Paul Harwood (Not for Publication)

V.

Truck Terminals Plus, LLC

The trial court's order is affirmed. Respondent is awarded costs on appeal.

Bigelow, P.J.

We concur: Rubin, J.

Flier, J.

August 18, 2010 (Continued)

DIVISION EIGHT (continued)

B215806 People (Not for Publication)
v.
Norman Ed Roque

The judgment is affirmed.

Flier, J.

We concur: Bigelow, P.J.
Grimes, J.

B213985 MRI Healthcare Center of Glendale, Inc.,
v.
State Farm General Insurance Company

Filed order certifying opinion for publication.